

EXHIBIT A



Suite 800
505 Montgomery Street
San Francisco, CA 94111-6533

Joseph E. Addiego III
415.276.6515 tel
415.276.4815 fax

joeaddiego@dwt.com

September 13, 2017

Via US Mail and Email (chris.michalak@aonhewitt.com)

Chris Michalak
Chief Executive Officer
Alight Solutions LLC
4 Overlook Point
Lincolnshire, IL 60069

Re: Trademark Infringement by Alight Solutions LLC

Dear Mr. Michalak:

We represent Alight, Inc. (“Alight”) in intellectual property matters. Alight is the owner of the trademark ALIGHT® for use in connection with cloud-based, real-time, financial planning and reporting, forecasting, and decision-analysis products. Alight is the owner of federal trademark Registration No. 5,062,182, for its ALIGHT® mark, a copy of which is enclosed for your reference.

Alight has been providing financial planning, forecasting, reporting, and decision-analysis application software since 2005. Alight’s cloud-based financial forecasting solutions are industry-specific, built on Alight’s proprietary platform, and help customers make critical business decisions about the financial future of their businesses. Its current offerings include ALIGHT MORTGAGE SOLUTIONS, which is tailored to the needs of the mortgage banking industry, and ALIGHT MINING SOLUTIONS, which is directed to the global mining industry. With the assistance of a Series A round of funding by investors including Caterpillar Venture Capital Inc. and a consortium of noted Bay Area tech investors, Alight is poised to accelerate its products into a number of new industry verticals including asset management, insurance, pharmaceutical and many other industries. You can find additional information on Alight’s products and services online at www.alightinc.com.

It has come to our attention that your company, formerly known as Hewitt Associates LLC d/b/a Aon Hewitt, recently launched a rebranding of its cloud-based health, wealth HR and finance solutions business to “Alight Solutions” and is now making prominent use of the ALIGHT mark in its branding and promotional materials. In addition to changing its name to Alight Solutions,

Chris Michalak
Alight Solutions LLC
September 13, 2017
Page 2

LLC, your company has, among other things, acquired the domain name <alight.com> from an online clothing retailer and begun using it (together with the <alightsolutions.com> domain) to host a website that prominently features the ALIGHT mark to promote your cloud-based HR and financial solutions.



See, e.g., Exhibit A. Alight Solutions has also filed applications with the U.S. Patent and Trademark Office to register the marks ALIGHT, ALIGHT FINANCIAL SOLUTIONS and ALIGHT FINANCIAL ADVISORS in connection with, among other things, non-downloadable software and software as a service (SAAS) in International Class 42. *See* U.S. App. Ser. Nos. 87/403,462, 87/518,096, 87/518,103. Alight Solutions filed these applications despite the prior existence of our client's federal registration for the ALIGHT® mark for SAAS services in Class 42.

Alight Solutions' use and registration of ALIGHT, ALIGHT SOLUTIONS, and other ALIGHT-formative marks is likely to cause significant consumer confusion as to the source or affiliation of its products and services. Alight Solutions' use of the ALIGHT and ALIGHT SOLUTIONS marks creates the false impression that you are affiliated with Alight when you are not.

Indeed, the Examining Attorney reviewing Alight Solutions' pending application to register the ALIGHT mark has *already found* that the parties' ALIGHT marks are "identical in appearance, sound, and meaning, 'and have the potential to be used . . . in exactly the same manner'" and are likely "to engender the same connotation and overall commercial impression when considered in connection with [the parties'] respective goods and/or services." June 29, 2017 Office Action refusing App. Ser. No. 87/403,462. "Given the similarity of the marks and the relatedness of the

Chris Michalak
Alight Solutions LLC
September 13, 2017
Page 3

goods and services,” the Examining Attorney concluded, “consumers are likely to confuse the source of the [parties’] goods and services.” *Id.*

Alight Solutions’ use of the ALIGHT and ALIGHT SOLUTIONS mark is not only *likely* to confuse consumers, but actual confusion has already occurred. For example, there have been at least two reviews for Alight posted to the *Glassdoor* company review website by individuals who are employees or perspective employees of *Alight Solutions*, rather than *Alight*. See Exhibit B. If Alight Solutions’ own employees are expressing confusion, then we fail to see how anyone else will be able to distinguish between the parties’ respective ALIGHT and ALIGHT-formative marks.

The risk of confusion is even greater given that Alight recently entered into a strategic partnership with Caterpillar Inc. As a result of Alight’s growth trajectory, it is likely that a significant number of Alight customers are or will be customers of Alight Solutions, as we understand is the case with Caterpillar. This overlap in actual and potential customers means that Alight is likely to suffer actual harm caused by Alight Solutions’ adoption of its confusingly similar ALIGHT mark.

The conduct of Alight Solutions constitutes trademark infringement, false designation of origin, and unfair competition under federal and state laws, including the federal Lanham Act, 15 U.S.C. §§ 1114, 1125(a). Given the evidence of confusion that has already occurred and the existence of circumstances that will lead to additional incidents of actual confusion, we also believe that Alight is entitled to immediate injunctive relief and money damages.

Further, we find it difficult to believe that Alight Solutions was not aware of our client and its federally registered ALIGHT® mark at the time Alight Solutions adopted the ALIGHT mark. Alight Solutions could have chosen among many available marks—and it appears there were several under consideration, such as AVOKE, APTIVATE, and CONVENE. Instead, Alight Solutions chose to proceed with the ALIGHT rebranding despite its knowledge of our client’s prior rights. In light of this, it appears that Alight Solutions’ conduct is willful. As you may know, treble damages and the award of the trademark owner’s reasonable attorney’s fees are among the additional remedies available under the Lanham Act, 15 U.S.C. § 1117, for willful infringement.

In light of the above, we must insist that Alight Solutions:

- immediately and permanently cease and desist from all use of the ALIGHT and ALIGHT SOLUTIONS marks (and any term confusingly similar to Alight’s ALIGHT mark);
- discontinue all use of any domain name or social media account incorporating the ALIGHT mark, including but not limited to <alight.com> and <alightsolutions.com>;

Chris Michalak
Alight Solutions LLC
September 13, 2017
Page 4

- withdraw its pending applications to register the marks ALIGHT, ALIGHT FINANCIAL SOLUTIONS and ALIGHT FINANCIAL ADVISORS, U.S. App. Ser. Nos. 87/403,462, 87/518,096, and 87/518,103.

We expect that you will act immediately to respond to these concerns on or before September 20, 2017.

If you fail to act quickly to address this matter, Alight will take the actions it deems necessary to enforce and protect its rights in the ALIGHT mark.

We trust that will not be necessary, and we look forward to hearing from you.

Very truly yours,

Davis Wright Tremaine LLP



Joseph E. Addiego III

Enclosures

cc: Alight, Inc.
 Sheila Fox Morrison

United States of America
United States Patent and Trademark Office

ALIGHT

Reg. No. 5,062,182

ALIGHT, INC. (DELAWARE CORPORATION)
130 BATTERY STREET
SUITE 300
SAN FRANCISCO, CA 94111

Registered Oct. 18, 2016

Int. Cl.: 9, 42 CLASS 9: Computer program, namely, for business planning and financial reporting

Service Mark

FIRST USE 3-1-2005; IN COMMERCE 3-8-2005

Trademark

CLASS 42: Software as a service (SaaS) services, featuring software for business planning and financial reporting

Principal Register

FIRST USE 6-24-2005; IN COMMERCE 6-25-2005

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

SER. NO. 86-753,715, FILED 09-11-2015
DARRYL M SPRUILL, EXAMINING ATTORNEY



Michelle K. Lee

Director of the United States
Patent and Trademark Office

EXHIBIT A

The screenshot shows the homepage of Alight Solutions. At the top, there's a black header with the "alight" logo on the left and "Careers" and "Contact Us" links on the right. Below the header, a navigation bar has three items: "WHAT WE DO", "INSIGHTS & RESOURCES", and "OUR STORY". The main hero section features a yellow background with the title "Welcome to Alight" and the subtitle "Reimagining how people and organizations thrive.". A "SEE OUR STORY" button with a play icon is present. To the right is a photo of two people carrying surfboards. Below this, a section titled "ALIGHT SOLUTIONS AT A GLANCE" displays statistics: "22K colleagues", "14 global delivery centers", and "19M+ people and their families". Buttons for "LEARN MORE ABOUT ALIGHT" and "FIND YOUR HR WEBSITE" are shown. The middle section is divided into three dark boxes: "HR & Financial Solutions" (with a grey and yellow four-pointed star logo), "Health & Wealth Solutions" (with a yellow and grey four-pointed star logo), and "Consumer Experience" (with a yellow and grey three-pointed arrow logo). Each box has a "LEARN MORE" button. Below this is a "Featured Insights & Resources" section with a photo of people in a meeting. It includes links for "2017 Consumer Health Mindset® Study" (with a "READ FLIPBOOK" button), "2017 Consumer Health Mindset Highlights Report" (with a "READ FLIPBOOK" button), "Turning struggle into savvy" (with a "READ ARTICLE" button), and "Target date funds: Who uses them and are they being used the 'right' way?" (with a "READ FLIPBOOK" button). The bottom section contains three columns: "What We Do" (listing HR & Financial Solutions, Health & Wealth Solutions, Consumer Experience), "Insights & Resources" (listing HR & Financial Solutions, Health & Wealth Solutions, Consumer Experience, and a link to "Find your HR Website"), and "Our Story" (listing Company Profile, Leadership Team, Newsroom, Awards & Events, Careers, and Contact Us). The footer is yellow and includes the "alight" logo, social media links (LinkedIn, Twitter, Facebook, YouTube, Instagram), and copyright information ("©2017 Alight. All rights reserved.").

The screenshot shows the alight website's homepage for the HR & Financial Solutions division. At the top, there's a navigation bar with links for 'CAREERS' and 'CONTACT US'. Below the navigation is a secondary menu with 'WHAT WE DO', 'INSIGHTS & RESOURCES', and 'OUR STORY'. Under 'WHAT WE DO', the 'HR & Financial Solutions' tab is active, showing 'Solutions' and 'Technology Partners' options. The main headline reads 'ILLUMINATE YOUR POSSIBILITIES IN THE CLOUD'. A 'TALK TO AN EXPERT' button is present. Below the headline, a section titled 'SOLUTIONS AND SUPPORT TO ELEVATE YOUR CAPABILITIES' discusses expertise in cloud solutions. Three columns below this section represent 'Scale', 'Depth', and 'Breadth', each with a small icon and a brief description. A central text block emphasizes the company's global resources and long-term success in the cloud. A 'Dive Deeper' section features a background image of a person working at a desk and includes a 'EXPLORE OUR SOLUTIONS' button. The 'HR & Financial Insights & Resources' section contains four articles with titles like 'Live in the Cloud: You can benefit from an HR portal in the cloud', 'Considering the Cloud: SaaS business case considerations', 'Considering the Cloud: Moving to SaaS...Platform shift or HR transformation?', and 'Considering the Cloud: Know before you go. Five SaaS considerations'. Each article has a 'READ ARTICLE' button. The bottom of the page features a 'Reimagine what's possible' section with a woman smiling, a 'TALK TO AN EXPERT' button, and a footer with links for 'What We Do', 'Insights & Resources', 'Our Story', and social media icons. The footer also includes a copyright notice for 2017.

EXHIBIT B

Screenshot of a Glassdoor review page for Alight, showing reviews from current employees.

Overview: 8 Reviews, 21 Jobs, 2 Salaries, 3 Interviews, 1 Benefits, 5 Photos. Follow button and Add a Review button.

Review 1 (Jul 26, 2017): "Won't Complain" by Current Employee - Anonymous Employee. Rating: 4 stars. Pros: Virtual Work Environment creates superb work life balance. Cons: Recently sold to An investment conglomerate. Still Waiting to see what changes will come.

Alight Response (Aug 22, 2017): Vice President, Marketing. Hi There, This was posted to our company's profile in error, as Alight is a privately-held tech company and has not been sold to an investment conglomerate. Learn more about us at alightinc.com... More

Join the Alight team button and **See Our Latest Jobs** button.

Review 2 (Jul 18, 2016): "Great "mature" start up company with excellent momentum and management" by Current Employee - Anonymous Employee. Rating: 5 stars. Pros: Diverse, Positive Outlook, Accessible CEO. Cons: None listed.

Thumbtack sidebar: Thumbtack is the destination for getting absolutely anything done—from house painting to event planning, music lessons to long distance... Read more. We're Hiring: Counsel (Thumbtack - San Francisco, CA) and Analytics Manager, Business Intelligence (Thumbtack - San Francisco, CA). Follow button and View All Jobs button.

Alight Photos: + Add Photo. See All Photos > button. Three photos shown: people working at desks, people in a meeting room, and a person working at a computer.

Company Benefits: Work in HR or Recruiting? X button. There are current reviews for this company.

<https://www.glassdoor.com/Interview/Alight-Interview-Questions-E659527.htm>

Overview 8 Reviews 21 Jobs 2 Salaries 3 Interviews 1 Benefits 5 Photos

Jun 15, 2017

Order to Cash Interview
Anonymous Interview Candidate

Declined Offer Neutral Experience Average Interview

Application
The process took 1+ week. I interviewed at Alight.

Interview
Interview process started with HR round. Questions asked were from the resume and some personal questions regarding family background, strength, weakness etc.
Then there was a computer based test of grammar, reasoning and some psychological question which were basic.
The last round was technical round with the manager questions asked were detailed questions from the resume and about the job profile.
Manager is generally looking for positivity in the prospective employee and how good and consistent he can be for the organisation in terms of work.

Show Less

Interview Questions
explain the projects you've undertaken in your college?
[Answer Question](#)

[f](#) [t](#) [e](#) [s](#) [Helpful](#) [P](#)

Alight Response
Aug 22, 2017 – Vice President, Marketing

Hi There, This was posted to our company profile in error. We don't administer computer-based testing/screening at all and we don't test candidates for grammar or psychological fit. Thanks!

[Interviews > Alight](#)

RSS Feed [Embed](#)

Work in HR or Recruiting? [X](#)